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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No. 765 of 2017

Date of Decision: 19.04.2017

Baba Gurbinder Singh and another

.....Petitioners

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Ms. Gursharan K.Mann, Advocate,
for the petitioners.

Ms. Rimplejeet Kaur, A.A.G., Punjab.

Mr. Dilpreet Singh Gandhi, Advocate,
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

The complainant purchased 2,500 square yard from petitioner No. 2 in the year 2004. The allegations are that after the said purchase, mutation was sanctioned in favour of the complainant. After constructing a boundary wall, he went abroad. When he returned back, he found Gurmit Singh along

with Master Paramjit Singh, in connivance with each other, had prepared the forged documents and had taken forcible possession of the property in an illegal manner.

Learned counsel for the petitioners contended that originally the property was in the ownership of Gurudwara Gurusar Satlani Sahib and Baba Mangal Singh was the head of the said *dera*. Thereafter, Baba Gurbinder Singh was appointed as *chela* of said Baba Mangal Singh of the said Gurudwara and he was managing the affairs of the property. Baba Mangal Singh authorized petitioner No. 2 to execute the sale deed and consequently, the sale deed was executed in favour of the complainant.

It appears that there is a conflict of interest between the subsequent vendees. Out of total land measuring 58 Kanals and 4 Marlas, apparently there is no partition between the co-sharers.

Learned State counsel on instructions from A.S.I. Harbhajan Singh admits that the petitioners have joined the investigation in pursuance of order dated 13.01.2017 and are no more required in any further investigation of the case.

In view of above, I deem it appropriate to confirm

order dated 13.01.2017. However, the petitioners shall keep on joining the investigation as and when required to do so.

Ordered accordingly.

April 19, 2017.

Apurva

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No